

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

3V, INC., a Delaware Corporation,

Plaintiff

v.

**CIBA SPECIALTY CHEMICALS
CORPORATION, a Delaware Corporation,**

Defendant.

C.A. No. 06-00593-JJF

**CIBA SPECIALTY CHEMICALS
CORPORATION, a Delaware Corporation,**

Cross-Plaintiff

v.

3V, INC., a Delaware Corporation,

Cross-Defendant.

C.A. No. 06-00629-JJF

**CIBA SPECIALTY CHEMICALS
CORPORATION, a Delaware Corporation,**

Plaintiff

v.

3V, INC., a Delaware Corporation,

Defendant.

C.A. No. 06-672-JJF

SECOND ORDER MODIFYING RULE 16 SCHEDULING ORDER

Upon the Stipulation of the parties to these actions, and finding that cause exists to further amend the Rule 16 Scheduling Order filed in these proceedings,

IT IS ORDERED, that

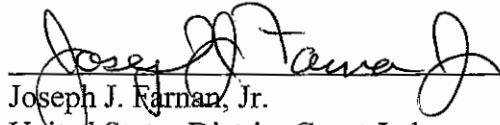
1. Scheduling Order in these cases as modified by Order dated July 24, 2007, is hereby further modified as follows:

- (a) The Discovery described in paragraph 3(a) of the Scheduling Order shall be commenced so as to be completed by March 28, 2008.
- (b) The deadline for depositions to be completed (Scheduling Order, paragraph 3(e)) shall be September 29, 2008.
- (c) The deadline for additional Discovery as described in the Scheduling Order at paragraph 3(f) shall be December 1, 2008.
- (d) Reports from retained experts in cases 06-00593-JJF and 06-00629-JJF required by Fed. R. Civ. P. 26(a)(2) are due from the party having the burden of proof by October 24, 2008; from the opposing party by December 29, 2008. Rebuttal reports are due February 16, 2009. (Modifying paragraph 3(g) of the Scheduling Order.)
- (e) Expert reports for the party having the burden of proof in C.A. No. 06-00672-JJF shall be due on November 26, 2008; and for the opposing party on January 26, 2009. Rebuttal reports are due on March 20, 2009. (Modifying paragraph 3(h) of the Scheduling Order.)
- (f) All motions to amend the pleadings shall be filed on or before December 12, 2008. (Modifying paragraph 5 of the Scheduling Order.)
- (g) Any motions challenging this Court's jurisdiction shall be filed by March 28, 2008. (Modifying paragraph 6(a) of the Scheduling Order.)

(h) Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before April 20, 2009. (Partially modifying paragraph 6(b) of the Scheduling Order.)

2. Except as specifically modified in this Order, the provisions of the December 20, 2006 Rule 16 Scheduling Order shall remain in full force and effect.

3. Pursuant to 28 U.S.C. § 636, and Local Rule 72.1(a)(1), these cases are hereby referred to Magistrate Judge Thyng for the purpose of exploring ADR.



Joseph J. Farnan, Jr.
United States District Court Judge

Dated: November 16, 2007